

REMARKS

Claims 8-15, 20-23, 25-28, 30-32, 35-38 and 42 are currently pending in the present Application. These claims stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,752,805 to Gail, *et al.* ("Gail") in view of U.S. Patent No. 6,406,027 to Aksit ("Aksit").

In the Applicants' July 14, 2004 Amendment, independent claim 8 was amended to recite that its brush sealing ring employed bristles with strands "composed exclusively of fine, angel hair-like aramid fibers and the bristles formed from the strands have a diameter of less than one-tenth of a millimeter." The Applicants then noted that the reference cited as teaching the use of aramid bristles, Askit, *expressly teaches away from the present invention*, where Aksit itself notes that securing such incredibly fine individual fibers to be "virtually impossible," and that therefore large-diameter aramid *yarns* must be used.

In response to the Applicants' arguments, it was asserted in the October 18, 2004 Final Office Action that Askit is used to teach "that it is well known to use[] bristle[s] that are made of an *individual* aramid fiber or filament."

October 18, 2004 Final Office Action at 5 (citing Askit at 3:26-27 as teaching bristles 20 with a diameter of less than 0.001 inch; emphasis added). The Applicants respectfully submit that the foregoing citation reads the teachings of Askit too narrowly.

The cited lines 26-27 are taken from a section (lines 20-30 of column 3), in which Askit expressly teaches the use of aramid *yarns* – large diameter bundles made up of individual bristles – *precisely because, as Askit notes a couple*

paragraphs before, making up a seal from individual fibers is “virtually impossible.” Askit at 2:32-36 (“Using a *yarn* of aramid filaments *allows a brush seal of small-diameter bristles to be constructed* since it is virtually impossible to handle and secure *individual small-diameter aramid filaments* to a bristle holder.”); *id.* at 3:20-26 (“The brush seal 14 includes ... filament-*yarn* bristles 20 secured to the bristle holder 18. A filament-*yarn* bristle 20 is defined as ... a filament 22 supplied to a brush-seal manufacturer ... *in the form of a yarn* 24, 26, 28, 30. Typically ... a yarn 24-30 contains from 1,000 to 2,000 bristles 20, and a brush seal 14 contains between one and hundreds of yarns 24-30.”).

Thus, Askit at lines 3:26-27 does not teach or suggest the present invention’s “strands ... composed exclusively of fine, angel hair-like aramid fibers,” but rather the use of a *yarn* built up from such fibers. Accordingly, at most, the only suggestion that can be discerned from Askit is the substitution of Askit’s *yarns* in Gail’s seal ring – not the formation of a seal ring using fibers in a manner that Askit expressly teaches to be “virtually impossible.” The substitution of Askit’s yarns into Gail therefore fails to result in the sealing ring recited in present claim 8.

In view of the foregoing remarks, the Applicants respectfully request reconsideration of the teachings of Askit, and recognition that this reference’s yarns cannot be combined with Gail to result in the invention recited in claim 8. Withdrawal of the pending § 103(a) rejection based on Gail and Askit is requested accordingly.

CONCLUSION

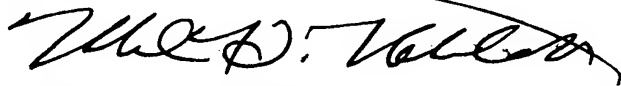
In view of the foregoing remarks, the Applicant respectfully submits that claims 8-15, 20-23, 25-28, 30-32, 35-38 and 42 are patentable over the cited references and in condition for allowance. Early and favorable consideration and issuance of a Notice of Allowance for these claims is respectfully requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #225MU/50870US).

December 20, 2004

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